

REMARKS

Applicant thanks the Examiner for the thorough consideration given the present application. Claims 2 – 16 and 31 are pending in the present application. Claims 1 and 31 are independent claims. Claims 1 and 17 – 30 are cancelled and claims 2 – 16 and 31 are amended.

Examiner Interview

Applicant's representative spoke with the Examiner regarding this Application on February 12, 2010. During the interview the Examiner indicated that claim 3 contained allowable subject matter. Applicants hereby amend claim 3 to independent form as suggested by the Examiner during the interview.

Scope of Amendments

Applicants respectfully submit that claim 3 is amended only to place the claim into independent format and secure the subject matter indicated as allowable by the Examiner. No other change in the scope of substance of this claim is intended thereby.

Claim Objections

Claim 4 is objected to as being in improper form because of a multiple dependent claim. Applicant discussed this objection with the Examiner and understand the specific objection to be that claim 4 does not list the multiple claims it depends from in the alternative. Applicant hereby amends claim 4 to recite the multiple claim dependencies in the alternative. Accordingly, reconsideration and withdrawal of this objection is respectfully requested.

Claim Rejections – Section 101

Claims 17 - 31 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Insofar as it pertains to the presently pending claims, this rejection is respectfully traversed.

Claim 31

Claim 31 is a “Beauregard” claim directed towards a computer-readable medium. In rejecting this claim, the Office Action states that “merely saying there is a computer-readable medium is not sufficient.” (Page 3 of Office Action). Applicants note, however, that the Office Action goes on to state that “when functional descriptive material is recorded on some computer-readable medium, it becomes structurally and functionally interrelated to the medium and will be statutory.” (Page 4 of Office Action).

Although no specific computer-readable medium is discussed in the specification, the specification does discuss the use of databases and database systems at length and repeatedly. As is well known and understood in the art, a database system inherently includes a physical storage medium such as a hard drive, optical disc, or volatile memory chip that contains a physical manifestation of the data being input, stored, extracted, or analyzed.

Applicants therefore respectfully submit that the range of computer-readable media associated with a database system are inherently included in the specification and that the inherent necessity of having a physical manifestation of the data stored in a database system

would be readily apparent to one of ordinary skill in the art. The lack of a specific mention of media types merely means, in the context of the specification, that any known computer-readable medium may be used so long as it can perform the necessary data storage tasks. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Claim Rejections – Section 103

Claims 1, 2, 4, 5, 7 – 8, 13 – 15, 17 – 23, 25 – 26, 28 - 29 and 31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over by U.S. Patent 6,055,539 to Singh (“Singh”) in view of U.S. Patent 6,483,938 to Hennessey (“Hennessey”). Claims 6, 9 – 12, 16, 24, 27, and 30 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Singh and Hennessey in view of U.S. Patent 6,731,730 to Zolotov (“Zolotov”). Insofar as they pertain to the presently pending claims, these rejections are respectfully traversed.

Applicants respectfully submit that claims 1 and 17 – 30 are cancelled, and that claims 2 and 4 – 16 are amended to depend from allowable claim 3. Applicants further submit that claim 31 is amended to include the limitations of claim 3 and is therefore allowable for at least the same reasons as claim 3. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Conclusion

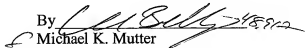
Since the remaining patents cited by the Examiner have not been utilized to reject the claims, but to merely show the state of the art, no comment need be made with respect thereto.

In view of the above amendment, Applicant believes the pending application is in condition for allowance. Thus, the Examiner is respectfully requested to reconsider the outstanding rejections and issue a Notice of Allowance in the present application.

However, should the Examiner believe that any outstanding matters remain in the present application, the Examiner is requested to contact Applicant's representative, Naphtali Matlis (Reg. No. 61,592) at the telephone number of the undersigned in order to discuss the application and expedite prosecution.

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Respectfully submitted,

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